



# APPLICATION FOR SEXUALLY ORIENTED ENTERPRISE LICENSE

Date of Application: \_\_\_\_\_

Control Number: \_\_\_\_\_

Type or print in ink when providing the required information. If more space is needed, please attach a separate sheet of white paper to this application. Sign, date and notarize each sheet of paper.

Sexually Oriented Enterprise, when used hereafter, means an enterprise as defined in section 28-121 of the Amended Code of Ordinances, City of Houston, Texas.

Applications for all permits, original or renewal, must be made to the Director by the intended operator / owner of the enterprise and must be made in person.

The permit application shall be accompanied by the following permit fees:

Original permit	Current calendar year New Permit fee
Renewal permit	Current calendar year Renewal fee
Permit alteration (name change)	Current calendar year Alteration fee

In addition to the above, each permit submitted requires the payment of the current calendar year Administrative Fee. All application fees are nonrefundable. No exceptions.

## THE PERMIT APPLICATION MUST BE ACCOMPANIED BY:

1. A Certified copy of the Assumed Name Certificate as filed in compliance with the Assumed Business of Professional Name Act, provided the applicant is to operate the enterprise under an assumed name.
2. A certified copy of all Articles of Incorporation together with all documentation thereto, provided the applicant is a Texas Corporation.
3. A certified copy of the certificate to transact / conduct business in the State of Texas together with all documentation thereto, provided the applicant is a foreign corporation.
4. A certified copy of the Certificate of Limited Partnership, together with all documentation thereto, provided the applicant(s) is a limited partnership under the laws of the State of Texas.
5. A certified copy of the Certificate of Limited Partnership and all qualification documentation thereto, provided the applicant is a foreign Limited Partnership.

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TEL: 832-394-8803  
FAX: 832-395-9630

ONLINE: [www.houstonpermittingcenter.org](http://www.houstonpermittingcenter.org) or [www.houstontx.gov/ara](http://www.houstontx.gov/ara)

# SEXUALLY ORIENTED ENTERPRISE



Valid proof of the current fee ownership of the tract of land on which the enterprise is to be located / situated, in the form of a recorded deed.

If the person(s) identified as the fee owner(s) of the tract of land in item above are not also the registered owners of the enterprise, the lease agreement, rental agreement, purchase contract, purchase option contract, lease option contract or other documentation showing evidence of legally enforceable rights to ownership / proposed ownership of the land by the applicant must be provided and demonstrate that the owners of the tract of land have knowledge that the tract of land will be used for the purpose of a sexually oriented enterprise and / or the operation of a sexually oriented enterprise.

Any of the above mentioned items shall not be required for a renewal application if the applicant states, under oath, that previously submitted documentation (in its entirety) regarding the application remain in effect, are current and accurate.

## REQUIRED INFORMATION (COPIES OF DOCUMENTS WILL BE PROVIDED):

**Enterprise Name, Telephone Number & General Description of services to be provided at location:**

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**Address & Legal Description** - (attach a copy of the description if not located in a recorded subdivision):

Street Address & Zip \_\_\_\_\_  
Mailing Address & Zip \_\_\_\_\_  
Subdivision / Section \_\_\_\_\_  
Lot / Block Numbers \_\_\_\_\_

### Intended Operator:

Full Name \_\_\_\_\_  
Residential Address \_\_\_\_\_  
Mailing Address & Zip \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Texas I.D. Number \_\_\_\_\_

### Owner of Enterprise:

Full Name \_\_\_\_\_  
Residential Address \_\_\_\_\_  
Mailing Address & Zip \_\_\_\_\_  
E-mail Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Texas I.D. Number \_\_\_\_\_

Date on which the owners acquired the enterprise for which the permit is being sought. If the enterprise is currently in operation, include the date on which the enterprise began operations as a sexually oriented enterprise:

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Anticipated date of operation: (This is the date on which the applicant expects to be open for business). This date should be calculated from the date of the issuance of the permit, in the event the permit is issued. If this date exceeds ten (10) calendar days, include a detailed explanation of construction, repair or remodeling or other work that is the cause of the expected delay. Include a statement from the OWNER detailing the time schedule and plan for accomplishing the same.

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YOU ARE HEREBY NOTIFIED THAT YOU, YOUR EMPLOYEES AND YOUR BUSINESS ARE SUBJECT TO CRIMINAL AND CIVIL PENALTIES IF A VIOLATION OF ANY OR ALL OF THE FOLLOWING LAWS ARE FOUND ON THE PREMISES OF THE ENTERPRISE:

**Texas Penal Code section 43.04:**

**Aggravated Promotion of Prostitution**

A person commits an offense if he knowingly owns, invests in, finances, controls, supervises or manages a prostitution enterprise that uses two or more prostitutes.

An offense under this section is a **FELONY OF THE THIRD DEGREE**.

A Felony of the third degree is subject to punishment by confinement in the Texas Department of Criminal Justice for any term of not more than 10 years or less than 2 years and may include a fine not to exceed \$5000.00.

**Texas Civil Practice and Remedies Code section 125.021 (in part) Public Nuisance**

The habitual use or threatened or contemplated use of any place for any of the following purposes is considered a public nuisance:

1. Prostitution, promotion of prostitution, aggravated promotion of prostitution, compelling prostitution.
2. Commercial manufacture, commercial distribution or commercial exhibition of material that is considered obscene.
3. Commercial exhibition of live dances or other acts depicting real or simulated sexual intercourse or deviate sexual intercourse.
4. Delivering, possessing or using controlled substances in violation of the Texas Controlled Substance Act and Texas Penal Code.

The law provides that a judgment in favor of the State of Texas or City of Houston must order that the place where the nuisance exists be closed for one (1) year.

**I represent that I have read and understood all of the information contained in this application. I further represent that I have personal knowledge of all statements made herein and that all information provided is true and correct. I also have read and understand the provisions in section 28-121 of Article 3 of chapter 28 of the City of Houston Code. I understand that a separate application must be made and a separate permit issued for each sexually oriented enterprise as defined.**

Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

# AFFIDAVIT

## Section. 1-11. Application for permits, licenses, etc.

(a) A license, permit or certificate issued pursuant to any code or ordinance of the city shall not be issued unless the applicant submits with the application the following declaration, pursuant to Texas Civil Practice and Remedies Code section 132.001:

My name is \_\_\_\_\_,  
(first, middle and last name),

My date of birth is \_\_\_\_\_, and My address is \_\_\_\_\_  
(street number)

\_\_\_\_\_, and \_\_\_\_\_.  
(street name, city, state, zip code) (country)

I have personal knowledge of the statements made in the application. None of the statements are misleading or false. I acknowledge that issuance of the license; permit or certificate does not excuse or approve any violation of deed restrictions or city, state, or federal laws or regulations. To the extent that this declaration is made on behalf of a corporation or any other legal entity or persons, I certify that I have fully advised them of the contents of the application and this declaration and that I am authorized to execute this declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_,

on the \_\_\_\_\_ day of \_\_\_\_\_,  
(month) (year)

\_\_\_\_\_  
Declarant